

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Clarence Chisolm, #058272,)	
)	
Petitioner,)	
)	
vs.)	Civil Action No.: 4:07-1791-TLW-TER
)	
Warden, Lieber Correctional Institution,)	
)	
Respondent.)	
_____)	

ORDER

The petitioner, Clarence Chisolm (“petitioner”), proceeding *pro se*, filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 on June 29, 2007. (Doc. #1). The case was referred to Magistrate Judge Thomas E. Rogers, III pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 (B)(2)(c), DSC. The respondent filed a motion for summary judgment on January 20, 2009. (Doc. # 41). The petitioner filed a motion for extension of time to file a response to the respondent’s motion for summary judgment on February 23, 2009. (Doc. # 46). On April 9, 2009 the Magistrate Judge filed an Order allowing the Petitioner an additional 15 days from the date of the Order to file a response to the respondent’s motion for summary judgment, and warning the petitioner that failure to file a response would result in a dismissal of the petition pursuant to Federal Rule of Civil Procedure 41(b). (Doc. # 49). No response was filed by the petitioner.

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by the Magistrate Judge to whom this case had previously been assigned. (Doc. # 52). On May 27, 2009, the Magistrate Judge issued the Report. In the Report, the Magistrate Judge

recommends that the petition be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). (Doc. # 52). The petitioner filed no objections to the report. Objections were due on June 15, 2009.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. # 52).

IT IS SO ORDERED.

s/Terry L. Wooten
United States District Judge

July 21, 2009
Florence, South Carolina